rotating said member to said lowered position;

applying a wash to said optically active test stack;

rotating said member to said raised position;

applying an amplifying reagent solution to said optically active test stack;

rotating said member to said lowered position;

applying a wash to said optically active test stack; and

observing said optically active test stack for a visual indication of the presence or amount of the analyte of interest.

36. (New) The method of claim 34 or 35 further including incubating said optically active test stack after applying said test sample and after applying said amplifying reagent solution.

REMARKS

The present invention relates to methods and devices for flow-through optical assay for the detection of an analyte of interest in a sample that conveniently allows control of the flow characteristics of the sample through the device without significant user intervention.

Claims 1-33 are presently pending in the instant application. Applicants have cancelled all pending claims herein, and added new claims 34-36. The new claims are commensurate in scope to claims 31-33, which were cancelled by the Examiner's Amendment as non-elected claims in the co-pending US Patent Application No. 09/272,641. Thus, the new claims are fully supported by the specification and do not introduce new matter. For example, the specification describes a method for detecting an analyte of interest in a test sample *e.g.*, on page 9, lines 3-19; page 25, line 17 through page 26, line 14.

Notwithstanding the foregoing, Applicants expressly reserve the right to pursue subject matter no longer or not yet claimed in the instant application in one or more applications which may claim priority hereto.

CONCLUSION

Applicants respectfully submit that the pending claims are in condition for allowance. An early notice to that effect is earnestly solicited. Should any matters remain outstanding, the Examiner is encouraged to contact the undersigned at the address and telephone number listed below so that they may be resolved without the need for additional action and response thereto.

Respectfully submitted,

Date July 11, 2001

By [signature]

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